

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAVE KEARNEY,

Plaintiffs,

v.

**BAYERISCHE MOTOREN WERKE
AKTIENGESELLSCHAFT, et al.,**

Defendants.

Civil Action No. 17-13544(MCA)

ORDER

THIS MATTER comes before the Court by way of Plaintiffs' motion for entry of judgment pursuant to Fed. R. Civ. P. 54(b) to allow an immediate appeal of the Court's Orders dismissing Bayerische Motoren Werke Aktiengesellschaft ("BMW AG") for lack of person jurisdiction and for a stay pending that appeal, ECF No. 234;

and it appearing that Judge Hammer issued a Report and Recommendation dated September 5, 2024, in which Judge Hammer recommended that this Court deny Plaintiffs' motion for entry of judgement pursuant to Fed. R. Civ. P. 54(b) and Plaintiff's request for a stay, ECF No. 234; and

it appearing that neither Defendant nor Plaintiff have filed any objections to the Report and Recommendation; and

it appearing that for the reasons set forth in Judge Hammers's Report and Recommendation;

IT IS on this 26th day of November, 2024,

ORDERED that Judge Hammer's Report and Recommendation dated September 5, 2024 is **ADOPTED** and Plaintiff's motion is **DENIED**.

s/ Madeline Cox Arleo

**Hon. Madeline Cox Arleo
United States District Judge**